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September 15, 2021

**VIA ECF**

Hon. Laura Taylor Swain, U.S.D.J.  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 12D  
New York, NY 10007

**MEMO ENDORSED**

Re: Raymond v. City of New York et al.  
Docket No.: 1:15-CV-06885

Dear Judge Swain,

I write to the Court to request that Plaintiffs be allowed to file exhibits 57, 58, 59, 60, 62, 64 and 65 to the Declaration of John Scola dated September 15, 2021 under seal which has been marked confidential pursuant to the Confidentiality Order entered into by the parties.

Very truly yours,

/s/

John Scola

Application denied without prejudice to renewal in compliance with the Southern District of New York's Electronic Case Filing Rules & Instructions, section 6, which requires that the party requesting that materials be filed under seal file, among other things, "the proposed sealed document[s] under seal using a restricted Viewing Level in ECF, and electronically relate it to the motion." Any such renewed motion by plaintiffs must also include a showing as to why the documents sought to be sealed either are not judicial documents or, if they are, meet the standard for sealing set forth in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006) and its progeny. The parties' designation of such documents as confidential pursuant to a stipulated protective order does not alone suffice to meet that standard. See, e.g., *Collado v. City of New York*, 193 F. Supp. 3d 286, 289–90 (S.D.N.Y. 2016) ("[T]hat a document was produced in discovery pursuant to a protective order has no bearing on the presumption of access that attaches when it becomes a judicial document."). DE#297 resolved.

SO ORDERED.

Dated: September 16, 2021

/s/ Laura Taylor Swain, Chief U.S.D.J.